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**IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE**

Appl. No. : 10/577,970
Applicant : Yukiko SUGIHARA et al
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Customer No.: 01933

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

MAIL STOP AMENDMENT

S I R :

This is a response to the Office Action of December 4, 2008
which is a restriction requirement between the four Groups
identified below:

Group I, claims 1-8, drawn to a composition comprising
polysaccharide and water.

Group II, claims 9-18, drawn to a method of making a
polysaccharide-containing composition.

Group III, claims 19-26, drawn to an ophthalmic solution
comprising a polysaccharide-containing composition.

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Attorney: Herbert Goodman

Dated: December 22, 2008

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No. 06-1378.


Group IV, claim 27, drawn to a method for stabilizing a tear film comprising administering an ophthalmic solution. (See Examiner's Note)

Group I, claims 1-8, is provisionally elected with traverse.

The description of the four Groups notes that Group II claims are drawn to a method of making a polysaccharide-containing composition which is the subject of Group I claims and that Group III claims are drawn to an ophthalmic solution comprising the polysaccharide-containing composition which is the subject of Group I. It is respectfully submitted that as a matter of law, if Group I claims are allowed, claims directed to the method of making the subject matter of the allowed claims and claims directed to the use of the subject matter of the allowed claims are also patentable. Accordingly, if the restriction requirement is maintained and only the subject matter of the elected Group I claims is examined, it is respectfully submitted that when the examined claims are allowed, the claims of Group II and Group III should be rejoined and also allowed.

Respectfully submitted,

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